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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/517,108

12/07/2004

Adrianus Sempel

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05/19/2008

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

BODDIE, WILLIAM

ART UNIT

PAPER NUMBER

2629

MAIL DATE

DELIVERY MODE

05/19/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/517,108

Applicant(s)

SEMPEL ET AL.

Examiner

WILLIAM L. BODDIE

Art Unit

2629

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 27-31 and 33-35 is/are pending in the application.
- 4a) Of the above claim(s) 33-35 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5108)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. In an amendment dated April 16th, 2008 the Applicants amended claim 11 and cancelled claims 1, 12, 19-26 and 32. Currently claims 11, 27-31 are currently pending.

Response to Arguments

2. Applicant's arguments filed April 16th, 2008 have been fully considered but they are not persuasive.
3. On pages 5-6 of the Remarks, the Applicants argue that Konno does not disclose that the lines are selected simultaneously.

The Examiner must respectfully disagree. Figure 19 shows that line n+1 and line n-1 are indeed selected simultaneously. While the lines are not selected simultaneously for the entirety of the scan period, there is clearly a period during which both the n+1 and the n-1 lines are high at the same time. This period during which the n+1 and the n-1 lines are both scanned is seen as sufficiently disclosing "simultaneous" selection.

4. On pages 6-7 of the Remarks, the Applicants argue that Sato does not disclose the order of scanning disclosed in claim 27.

The Examiner must respectfully disagree. The Examiner agrees that field 311 will proceed to scan lines in the order 1-4, 9-12, 17-20... and that field 312 will follow scanning lines 5-8, 13-16, 21-24. This is seen as sufficient to disclose the limitations of claim 27. The Applicants main argument appears to be that the term subsequent requires that the third set of lines be scanned immediately following the scanning of the second set of lines. This is not seen as the broadest reasonable interpretation of the

term "subsequent" which can be defined as any time following the scanning of the second lines and not necessarily *immediately* after.

5. On pages 7-8 of the Remarks, the Applicants argue that Herbert does not disclose a different selecting sequence, only merely different clock signals.

The Examiner must respectfully disagree. While Herbert does disclose different clock signals, those clock signals directly correspond to different select sequences. Applicants are pointed to column 12, lines 38 through 65 which detail the different operations performed when scan lines containing video data are reached. Depending on the data type, the data is applied to the scan lines in a different manner. Furthermore, the clock signals operate at very different frequencies to produce screen timing and shifting of the different data types (col. 10, lines 1-6, for example). Additional evidence that different line selection sequences are selected is discussed from column 6, line 61 through column 7, line 6. Finally, Herbert discloses that scanning of lines is delayed based on the current state of the clocks at the transition between graphics and video. (col. 7, lines 55-65).

As shown above the rejections are seen as sufficient and are thus updated taking into account the current amendments and maintained.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Konno et al. (US 6,940,481).

With respect to claim 11, Konno discloses, a method of scanning lines in a display, comprising:

selecting a line (line n in fig. 19) between a first and a last line of a first set of lines (1^{st} set – n , $n/2$, $n+2$...) of the display and thereafter alternately selecting and scanning a lower order line (line $n+2$) and a higher order line (line $n/2$) relative to the first selected line until all lines of the first set have been scanned (fig. 19), and

selecting a line ($n+1$ in fig. 19) between a first and a last line of a second set of lines (2^{nd} set – $n+1$, $n-1$, $n+n/2$...) of the display and thereafter alternately selecting and scanning a lower order line (line $n+n/2$) and a higher order line (line $n-1$) relative to the first selected line of the second set until all lines of the second set of lines have been scanned (fig. 19),

wherein a lower order line (line $n+2$) in the first set is selected simultaneously (fig. 19) with a higher order line (line $n-1$) in the second set and a higher order line (line $n/2$) in the first set is selected simultaneously (fig. 19) with a lower order line ($n+n/2$) in the second set.

8. Claims 27-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato et al. (US 6,731,301).

With respect to claim 27, Sato discloses, a method of scanning lines of a display, comprising:

scanning a first set of contiguous lines (lines 1-4 in fig. 35a in field 311),
scanning a second set of contiguous lines (lines 9-12 in fig. 35a in field 311), and
subsequently scanning a third set of contiguous lines (lines 5-8 in fig. 35a in field 312) that are located between the first and second sets of lines (see fig. 2b).

With respect to claim 28, Sato discloses, the method of claim 27 (see above), including scanning a plurality of other sets of contiguous lines (lines 13-16 in fig. 35a etc.) in an order that reduces tracking by a human eye of energy variations caused by scanning until all lines of the display are scanned (inherent in the scanning order here disclosed).

9. Claims 29-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Herbert (US 6,014,125).

With respect to claim 29, Herbert discloses, a display device comprising:
a display unit that is configured to display data content on a plurality of lines (fig. 1),
a control unit (10 in fig. 2) that is configured to select and scan the plurality of lines based on a select sequence of a plurality of line selection sequences (clock A and clock B in figs. 3-4),
wherein the control unit is configured to select the select sequence based on the data content (col. 4, lines 61-67).

With respect to claim 30, Herbert discloses, the display device of claim 29 (see above), wherein the data content is classified using a classification that includes text and graphics (col. 4, lines 61-67), and the control unit is configured to select the select sequence based on the classification of the data content (col. 4, lines 61-67).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Herbert (US 6,014,125) in view of Kurumisawa et al. (US 6,262,704).

With respect to claim 31, Herbert discloses, the display device of claim 29 (see above).

Herbert does not expressly disclose, wherein the control unit is configured to select the select sequence based on whether the device is in a standby mode of operation.

Kurumisawa discloses, wherein a scanning select sequence is based on whether the device is in a standby mode of operation (Abstract).

Kurumisawa and Herbert and analogous art because they are both from the same field of endeavor namely, scan line control.

At the time of the invention it would have been obvious to one of ordinary skill in the art to alter the scan sequence of the display of Herbert such that less lines are scanned in when the display is in a standby state.

The motivation for doing so would have been to lower power consumption of the display (Kurumisawa; Abstract).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **WILLIAM L. BODDIE** whose telephone number is (571)272-0666. The examiner can normally be reached on Monday through Friday, 7:30 - 4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sumati Lefkowitz/
Supervisory Patent Examiner, Art Unit 2629
/W. L. B./
Examiner, Art Unit 2629
5/13/08